

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 3, 4, 7, 11, 12, 14, 15, 19, 21, 24, 27, and 30-38 are pending in this application, Claims 13, 20, 22, 25, and 28 having been canceled without prejudice or disclaimer; Claims 3, 7, 11, 12, 24, 30, and 31 having been presently amended; and Claims 33-38 having been added. Support for amended Claims 3, 7, 11, 12, 24, 30, and 31 can be found, for example, in the original claims, drawings, and specification as originally filed.¹ No new matter has been added.

In the outstanding Office Action, Claims 3, 4, 7, 11, 12, 14, 15, 19, 20, 30, and 32 were rejected under 35 U.S.C. §103(a) as unpatentable over Sato et al. (U.S. Patent Publication No. 2003/0132701; hereinafter “Sato”); Claims 24 and 25 were rejected under 35 U.S.C. §103(a) as unpatentable over Sato in view of Yu et al. (U.S. Patent Publication No. 2002/0063520; hereinafter “Yu”); Claims 21 and 22 were rejected under 35 U.S.C. §103(a) as unpatentable over Sato in view of Sylvester et al. (U.S. Patent Publication No. 2004/0252933; hereinafter “Sylvester”); and Claims 13, 27, and 28 were rejected under 35 U.S.C. §103(a) as unpatentable over Sato in view of Kuma et al. (U.S. Patent Publication No. 2003/0127968; hereinafter “Kuma”).

In response to the rejections under 35 U.S.C. §103(a), Applicants respectfully submit that amended independent Claim 3 recites novel features clearly not taught or rendered obvious by the applied references.

Independent Claim 3 is directed to a color conversion layer including, *inter alia*:

...a fluorescent medium for converting light emitted
from an emitting medium to light having a longer wavelength,
and

¹ See page 13, line 17 to page 14, line 2 of the specification.

particles of an organic material and/or an inorganic material with a coating layer formed from a material suppressing extinction of the fluorescent medium caused by the particles, wherein the fluorescent medium converts light in a blue range emitted from the emitting medium to light having a longer wavelength.

In Sato, fluorescent substances and diffusing agents (fine particles) are dispersed in a triazine derivative epoxy resin to prevent the fluorescent substances, and the fluorescent substances and the diffusing agents from contacting each other. Namely, the surfaces of the fluorescent substance and the diffusing agent are surrounded by the specific resin (in other words, the surfaces are coated with the specific resin).

In contrast, in Applicants' invention, the coating layer formed from a material "suppressing extinction of the fluorescent medium caused by the particles" is only the "particles of an organic material and/or inorganic material" which are used for adjustment of the haze value in Applicants' Claim 1. The reason why the particles are coated by the coating layer formed from such a material is to prevent the fluorescent medium and the particles from interacting therebetween.

As explained in a non-limiting embodiment of Applicants' invention at Comparative Example 9 in the specification, when using titanium oxide particles having no coating layer formed from alumina which has the function of suppressing extinction of the fluorescent medium, the surface of titanium oxide is active since "the surface of the titanium oxide particles was not coated with alumina; and the photocatalyst effect of titanium oxide, and other effects caused extinction or deterioration of the red conversion colorant." According to a non-limiting embodiment of Applicants' invention, the photocatalyst effect of titanium oxide is inhibited by a coating layer formed of aluminum so that extinction of the fluorescent medium can be suppressed.

The color conversion layer of Applicants' invention which comprises a fluorescent medium and particles having a coating layer "formed from a material suppressing extinction of the fluorescent medium caused by the particles" is different from the color converting member of Sato where the fluorescent substance and the diffusing agent are surrounded by the specific resin in the constitution.

Incidentally, in the examples described in Sato, only SiO₂ particles were used as the diffusing agent. Applicants respectfully submit that it is well-known to those of ordinary skill in the art that extinction of the fluorescent medium is not caused by SiO₂. Although it is unknown whether the triazine derivative epoxy resin has the function of "suppressing extinction of the fluorescent medium," it is apparent that the problem of suppressing extinction of the fluorescent medium caused by the particles itself was not recognized in Sato.

Thus, Applicants respectfully submit that independent Claim 3 (and all claims depending thereon) patentably distinguishes over Sato. Further, Applicants respectfully submit that Yu, Sylvester, and Kuma fail to cure any of the above-noted deficiencies of Sato.

Accordingly, Applicants respectfully request that the rejections under 35 U.S.C. §103(a) be withdrawn.

In order to vary the scope of protection recited in the claims, new Claims 33-38 are added. New Claims 33-38 find non-limiting support in the disclosure as originally filed, for example at page 6, line 20 to page 7, line 3; page 8, lines 6-11, and page 12, line 6 to page 14, line 2.

Therefore, the changes to the claims are not believed to raise a question of new matter.²

² See MPEP 2163.06 stating that "information contained in any one of the specification, claims or drawings of the application as filed may be added to any other part of the application without introducing new matter."

Consequently, in view of the present amendment, and in light of the above discussion, the pending claims as presented herewith are believed to be in condition for formal allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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